

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re)	Chapter 7
)	Case No. 15-42289
William Davis,)	Hon. Deborah L. Thorne
)	Hearing Date: November 29, 2016
Debtor.)	Time: 9:30 a.m.

NOTICE OF MOTION

TO: *See Attached Service List*

PLEASE TAKE NOTICE that on Tuesday, November 29, 2016, at 9:30 a.m. or as soon thereafter as counsel may be heard, the undersigned shall appear before the Honorable Judge Deborah L. Thorne, or any bankruptcy judge sitting in her stead, in the courtroom usually occupied by her in Room 613 of the Dirksen Federal Building, 219 S. Dearborn Street, Chicago, Illinois, and shall then and there present the **Trustee's Motion for Final Extension of Time to Object to Exemptions**, a true and correct copy of which is hereby served upon you.

By: /s/ Joseph A. Baldi, as Trustee

I, Joseph A. Baldi, an attorney, hereby certify that on November 22, 2016, I caused a true and correct copy of the foregoing Notice of Motion, the Motion identified therein and exhibits, if any, and a proposed order to be served on the persons on the attached service list, either electronically via CM/ECF or by first class mail with postage prepaid, as indicated on the service list.

By: /s/ Joseph A. Baldi, as Trustee

Joseph A. Baldi
Julia D. Loper
Baldi Berg, Ltd.
20 N. Clark Street Suite 200
Chicago, Illinois 60602
(312) 726-8150

**Service List
William Davis
Case No. 15-42289**

Service Electronically via CM/ECF:

Office of the U.S. Trustee
USTPRegion11.ES.ECF@usdoj.gov

Karen J. Porter
Debtor's attorney
porterlawnetwork@gmail.com

Gloria C. Tsotsos
Counsel for Ocwen Loan Servicing, LLC
Nd-two@il.cslegal.com

Christopher L. Muniz
*Counsel for Chicago Regional Council of Carpenters Apprentice and Trainee Program Fund,
Chicago Regional Council of Carpenters Pension Fund, Chicago Regional Council of
Carpenters Welfare Fund*
clm@sacounsel.com

Service by First Class Mail:

William A. Davis
4415 Oakenwald Avenue
Chicago, IL 60653

Sara Lorber
The Law Offices of William J. Factor
105 W. Madison Street, Ste. 1500
Chicago, IL 60602

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In re)	Chapter 7
)	Case No. 15-42289
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Trustee's Motion for Final Extension of Time to Object to Exemptions

Joseph A. Baldi, not individually but solely as trustee ("Trustee") of the estate ("Estate") of William Davis, debtor ("Debtor"), pursuant to Rule 4003(b)(1) of the Federal Rules of Bankruptcy Procedure ("Rules") requests this Court for the entry of an order extending the time to file an objection to the exemptions claimed by Debtor. In support of his motion, Trustee respectfully states as follows:

Background

1. Debtor commenced this case on December 15, 2015, by filing a voluntary petition for relief under chapter 7 of title 11, United States Code ("Code").
2. Joseph A. Baldi is the duly appointed, qualified and acting chapter 7 trustee in this case.
3. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
4. The first meeting of creditors pursuant to section 341 was conducted on January 25, 2016 at which time the Debtor appeared and was examined by Trustee. At that meeting, Trustee requested information and documents relating to Debtor's pre-petition transfers of property and 401k plan. Trustee is investigating the 401k plan to determine if it is a qualified plan. Trustee is also investigating whether Debtor has properly claimed an exemption in his home, which was transferred into tenancy by the entireties shortly before filing this case.

Request for Extension of Time to Object

5. Pursuant to Rule 4003(b), the time to object to the exemptions claimed by Debtor in his Schedule C expires 30 days after the conclusion of the continued meeting of creditors or as otherwise extended by this Court. On June 8, 2016, an Order Granting Motion to Extend Time to Object to Exemptions was entered by this Court extending the time to September 27, 2016. Thereafter, on October 5, 2016 this Court entered an order granting Trustee's Motion to Extend Time for Objection to Exemptions to and including November 28, 2016.

6. The Trustee has received some documents from Debtor and has attended the depositions of Debtor conducted by the Carpenters Union. Trustee has not yet received all of the documents requested relating to Debtor's 401k. Trustee had previously submitted a settlement offer to Debtor's counsel but had not heard a response. In the past week, Debtor has obtained new counsel, Sara Lorber, who has contacted Trustee and requested information and a new settlement offer.

7. Trustee would like additional time to explore a settlement before objecting to the exemptions claimed by Debtor. Trustee requests and Lorber agrees to an additional 60 day extension of the time to object to exemptions.

8. This motion has been filed within the time period provided by Rule 4003(b)(1) for filing objection to the exemptions claimed by Debtor.

WHEREFORE, Joseph A. Baldi, Trustee of the estate of William Davis, and pursuant to Rule 4003(b) of the Federal Rules of Bankruptcy Procedure, requests that the Court grant an extension to and including January 27, 2017, within which he may file an objection to the claimed exemptions of the Debtor.

Dated: November 22, 2016

Joseph A. Baldi, as trustee of the estate of William Davis, debtor

By: /s/ Joseph A. Baldi

Joseph A. Baldi
Julia D. Loper
Baldi Berg, Ltd.
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